

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RAFAEL CARRASCO CARRASCO,

No. 2:24-cv-01110-DAD-AC (PC)

Plaintiff,

v.

STANISLAUS COUNTY SHERIFF, et al.,

Defendants.

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
ACTION DUE TO PLAINTIFF'S FAILURE  
TO PROSECUTE AND FAILURE TO  
COMPLY WITH A COURT ORDER

(Doc. No. 2, 7)

Plaintiff Rafael Carrasco Carrasco is a county jail inmate proceeding *pro se* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 23, 2024, the assigned magistrate judge issued findings and recommendations recommending this action be dismissed, without prejudice, due to plaintiff's failure to prosecute this action and failure to comply with a court order. (Doc. No. 7.) In particular, on April 25, 2024, the court ordered plaintiff to file a certified copy of his inmate trust account statement within thirty (30) days. (Doc. No. 5.) On June 17, 2024, the court granted plaintiff a further twenty-one (21) days to file a certified copy of his inmate trust account statement. (Doc. No. 6.) Plaintiff has not filed the required form to proceed with this action and the deadline in which to do so has passed.

1           Accordingly, on July 23, 2024, the assigned magistrate judge issued findings and  
2 recommendations recommending that this action be dismissed, without prejudice, due to  
3 plaintiff's failure to prosecute and failure to comply with the court's order. (Doc. No. 7.) The  
4 findings and recommendations were served upon plaintiff and contained notice that any  
5 objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 2.) To date,  
6 plaintiff has not filed any objections and the time in which to do so has also passed.

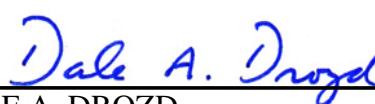
7           In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a  
8 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the  
9 pending findings and recommendations are supported by the record and proper analysis.

10          Accordingly:

- 11         1.       The findings and recommendations issued on July 23, 2024 (Doc. No. 7) are  
12               adopted in full;
- 13         2.       This action is dismissed, without prejudice, due to plaintiff's failure to prosecute  
14               and failure to comply with a court order;
- 15         3.       Plaintiff's motion to proceed *in forma pauperis* (Doc. No. 2) is denied as moot;  
16               and
- 17         4.       The Clerk of the Court is directed to close this case.

18          IT IS SO ORDERED.

19          Dated: September 20, 2024

  
DALE A. DROZD  
UNITED STATES DISTRICT JUDGE

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